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BOOK REVIEWS

CASES ON BUSINESS ORGANIZATION. Roswell Magill and Robert P. Hamilton. St. Paul, Minnesota: West Publishing Company, Vol. II, 1935. Pp. xxiv, 1349.

Because today many schools tend to group in one course the various forms of business organization, rather than to give separate treatment to partnerships, corporations, and the like, this casebook was compiled, covering the principles of all the modern forms of such organization. It is the second volume of a two-volume series. Volume I, previously reviewed, (12 CHICAGO-KENT REVIEW 156) dealt solely with cases on the law of agency. Volume II, published this year, now follows with the other forms of business organization—partnerships, corporations, limited partnerships, joint stock associations, and business trusts.

The plan of the book is to present first, the nature and formation of each type, then each as a going concern, and finally a discussion of solvent dissolution, taking up the causes and methods thereof, the duties of liquidators, liabilities for claims, and distribution of assets. In the appendixes are given the Uniform Partnership Act, the Uniform Limited Partnership Act, the Uniform Business Corporation Act, and the certificates of incorporation and by-laws of a corporation as examples of proper forms to be followed.

The aims of the authors, as set out in the preface, were to present a connected series of materials, organized to bring before the student the relative advantages and disadvantages of the various forms of business organization, and to avoid the disjointed treatment of each separate branch of the entire subject. This makes easy comparison and criticism. The cases selected include those which appear in every treatise on partnerships or corporations as establishing the leading principles, as well as those of recent date exemplifying present tendencies. The cases are well chosen, and are interspersed with brief text notes in outline form of supplementary material, as well as complete footnotes. The presentation of conventional subjects in this comprehensive way merits consideration.

CASES ON OIL AND GAS (American Case Book Series, Second Edition). Victor H. Kulp. St. Paul, Minnesota: West Publishing Company, 1935. Pp. xiv, 663.

In the second edition of this work, Professor Kulp has brought up to date his varied selection of case material concerning this comparatively new, rather highly specialized subject of oil and gas. Having openly disavowed an historical approach in his first edition in 1924 because of the "newness of the subject," he is now compelled to replace nearly half of his cases as obsolete

because of the rapid advances of the intervening decade. Many of the vital problems of 1924 have now been eliminated by express provisions in the leases.

The subject is presented entirely by the case method, a minimum of text material appearing in the footnotes. The cases themselves have been carefully edited, only the vital and relevant portions of the opinions being retained, and in many cases the facts being rewritten for the sake of brevity and clarity. Because of the subject matter, of course, the cases are drawn for the most part from a few jurisdictions, principally Oklahoma (Mr. Kulp's own state), Texas, California, Arkansas, Pennsylvania, Montana, and Kansas, with a few from other states and the Federal courts.

Of the eight divisions of the work, one occupies more than half of the total number of pages—"The Oil and Gas Lease." This lease is, of course, the backbone of the entire subject. The author has taken timely cognizance of the rising tide of governmental control, and has incorporated a new chapter entitled: "Governmental Control of Production, Including Conservation." The chapter upon taxation has been expanded and brought up to date, while the cases upon liens and joint ventures, being less timely, have been relegated to the footnotes.

One of the most valuable and practical features of the work is an appendix of oil and gas leases, deeds, and other forms, actually in use by the large petroleum companies today. These forms represent in a sense the culmination—one might almost say a synthesis—of oil and gas law.

It would be difficult to conceive of a more satisfactory case book upon the subject of oil and gas. The editor has tempered the thoroughness of the scholar with the rare gift of the opportunist. He has retained those decisions which have served as landmarks in the development of the subject, yet has taken cognizance of the very latest trends in the field. In revising his first edition, he has shifted the emphasis of the work to meet these changing trends, so as to afford a practical treatment of present-day problems in the field.